

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

QUANTRUS TERRELL GREEN	CIVIL ACTION NO. 13-0962
VERSUS	JUDGE ROBERT G. JAMES
CAMILLA GRANT, ET AL.	MAGISTRATE JUDGE KAREN L. HAYES

RULING

On June 12, 2013, Magistrate Judge Karen L. Hayes issued a Report and Recommendation [Doc. No. 7], in which she recommended that the Court dismiss Plaintiff's civil rights Complaint with prejudice as frivolous. A copy of the Report and Recommendation was forwarded to Plaintiff at his last known place of confinement, Richland Parish Detention Center, but was returned as undeliverable on June 20, 2013, with the notation "gone."

Local Rule 41.3W, in pertinent part, provides:

The failure of an attorney or *pro se* litigant to keep the Court apprised of an address change may be considered cause for dismissal for failure to prosecute when a notice is returned to the Court for the reason of an incorrect address and no correction is made to the address for a period of 30 days.

Further, Federal Rule of Civil Procedure 41(b) allows the Court *sua sponte* to dismiss an action with prejudice for failure to prosecute or to comply with any court order. *See Berry v. CIGNA/RSI-CIGNA*, 975 F.2d 1188, 1190-91 (5th Cir. 1992).

In the present case, more than thirty days have expired since mail has been returned as undeliverable to this Court. Plaintiff has made no effort to update his address or further prosecute his case.

Having reviewed the Report and Recommendation and finding that Magistrate Judge

Hayes' conclusions are correct, the Court ADOPTS the Report and Recommendation. The Court further finds that Plaintiff's Complaint warrants dismissal under Rule 41.3W for lack of prosecution.

Accordingly, Plaintiff's Complaint is DISMISSED as frivolous and for failure to prosecute.

MONROE, LOUISIANA, this 23rd day of July, 2013.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE